



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Erik R. Thoen et al. Art Unit : 2881  
 Serial No. : 09/542,061 Examiner : J. Menefee  
 Filed : April 3, 2000  
 Title : SEMICONDUCTOR ELEMENTS FOR STABILIZING LASER OUTPUT

Commissioner for Patents  
 Washington, D.C. 20231

#5 Response  
 10/15/01  
 RECEIVED  
 OCT 15 2001  
 TECHNOLOGY CENTER 2300

RESPONSE TO OFFICE ACTION MAILED JUNE 6, 2001

In response to the Office Action, applicants offer the following remarks:

REMARKS

Five independent claims (claims 1, 10, 20, 26 and 32) are pending.

In the office action, the Examiner rejects independent claims 1, 10 and 26 as anticipated by Jiang<sup>1</sup> under 35 U.S.C. § 102(a), and rejects independent claims 20 and 32 as obvious over Jiang in view of Shen.

Applicants submit, however, that Jiang is not prior art under 35 U.S.C. § 102(a). The Jiang reference was published on August 1, 1999. As demonstrated by the attached Rule 131 affidavits of Erik R. Thoen (an inventor) and David A. Simons (the attorney of record):

- The applicants conceived the subject matter of all the independent claims (claims 1, 10, 20, 26 and 32) prior to August 1, 1999.
- The applicants reduced to practice an embodiment of independent claims 1, 10 and 26 prior to August 1, 1999.

<sup>1</sup> Jiang et al., Nonlinearly Limited Saturable-Absorber Mode Locking of an Erbium Fiber Laser, Optics Letters, 24, 15:1074-76.

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

10-4-01

Date of Deposit

Maureen Christiano  
 Signature

MAUREEN CHRISTIANO  
 Typed or Printed Name of Person Signing Certificate